

CHAPTER NO. 385**HOUSE BILL NO. 1030****By Representative Rinks****Substituted for: Senate Bill No. 1450****By Senator Clabough**

AN ACT to amend Tennessee Code Annotated, Section 67-5-1512 and Title 67, Chapter 5, Part 18, relative to payments and refunds of property taxes under appeal, to provide for deferral of refunds significantly impacting approved budgets and to repeal obsolete references.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-5-1512, is amended by deleting in their entirety subsections (b)(4) and (c).

Notwithstanding other provisions of the law, the interest rate on a deferred refund shall increase two (2) points from the date of the deferral sixty (60) days after the board of equalization decision is rendered until the refund is finally paid.

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 5, Part 18, is amended by adding the following new section:

() When a county has been ordered to make a refund of property taxes pursuant to final action of a court or the state board of equalization or assessment appeals commission, no specific appropriation is required to authorize the county trustee to make the refund. The trustee may make the ordered refund and any interest owing the taxpayer as otherwise provided from any taxes collected for the year or years to which the refund relates prior to the allocation to the various county funds. If the trustee does not have funds collected from the year to which the refund relates, the trustee may make the refund and pay any interest owing the taxpayer from current collections prior to the allocation of revenue to the various county funds. Where a refund plus accrued interest exceeds one percent (1%) of all property taxes levied for the year in which the refund is due, the trustee may defer the refund for a period of up to three (3) years in equal annual installments, and the deferred amounts shall accrue interest in the manner otherwise provided by law.

SECTION 3. This act shall not apply to refunds presently due any taxpayer.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 29, 2003


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 23rd day of June 2003


PHIL BREDESEN, GOVERNOR